In the Supreme Court of the United States

OCTOBER TERM, 1970

No. 1736

MICHAEL VINCENT CATALANO, PETITIONER

v.

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

MEMORANDUM FOR THE UNITED STATES IN OPPOSITION

After a jury trial in the United States District Court for the Southern District of New York, petitioner and co-defendant Goldman were convicted of conspiracy (18 U.S.C. 371) to violate the Travel Act, 18 U.S.C. 1952, in connection with a scheme to extort money from one Williams. Petitioner was acquitted on substantive counts charging that he caused Williams to travel in interstate commerce with intent to extort. The court of appeals affirmed *per curiam* (Pet. App. B).

Petitioner raises essentially the same issues raised in the petition of his co-defendant, *Goldman* v. *United States*, No. 1704, this Term. For the reasons stated in our memorandum in opposition filed in that case,[1] the petition for a writ of certiorari should be denied.

Respectfully submitted.

ERWIN N. GRISWOLD,
Solicitor General.

JUNE 1971.

[1] We are supplying petitioner's counsel with a copy of our memorandum in opposition in No. 1704.

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